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3 **IN THE UNITED STATES DISTRICT COURT**  
4 **FOR THE DISTRICT OF ARIZONA**

5 IN RE BARD IVC FILTERS  
6 PRODUCTS LIABILITY LITIGATION

*This filing applies to Watts v. C.R. Bard, Inc.,  
et al., Case No. CV-17-2770-PHX-DGC*

**No.MD-15-02641-PHX-DGC**

**AMENDED MASTER SHORT FORM  
COMPLAINT FOR DAMAGES FOR  
INDIVIDUAL CLAIMS AND  
DEMAND FOR JURY TRIAL**

7  
8 Plaintiff(s) named below, for their Complaint against Defendants named below,  
9 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

10 Plaintiff(s) further show the Court as follows:

11 1. Plaintiff/Deceased Party:

12 George Watts, Deceased

13 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of  
14 consortium claim:

15  
16 3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,  
17 conservator):

18 Nancy Watts, Special Administrator for the Claims of George Watts, Deceased

19 4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at  
20 the time of implant:

21 Nevada  
22

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Nevada

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Nevada

7. District Court and Division in which venue would be proper absent direct filing:

U.S. District Court for the District of Nevada – Las Vegas Division

8. Defendants (check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: \_\_\_\_\_

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery<sup>®</sup> Vena Cava Filter

☐ G2<sup>®</sup> Vena Cava Filter

☐ G2<sup>®</sup> Express (G2<sup>®</sup>X) Vena Cava Filter

☐ Eclipse<sup>®</sup> Vena Cava Filter

☒ Meridian<sup>®</sup> Vena Cava Filter

☐ Denali<sup>®</sup> Vena Cava Filter

☐ Other: \_\_\_\_\_

11. Date of Implantation as to each product:

December 7, 2013

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)

☒ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence - Design

☒ Count V: Negligence - Manufacture

☒ Count VI: Negligence – Failure to Recall/Retrofit

☒ Count VII: Negligence – Failure to Warn

☒ Count VIII: Negligent Misrepresentation

☒ Count IX: Negligence *Per Se*

☒ Count X: Breach of Express Warranty

☒ Count XI: Breach of Implied Warranty

☒ Count XII: Fraudulent Misrepresentation

- 1           X     Count XIII: Fraudulent Concealment
- 2           X     Count XIV: Violations of Applicable\_\_\_\_\_ (insert state)
- 3                     Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade
- 4                     Practices
- 5           ☐     Count XV: Loss of Consortium
- 6           ☐     Count XVI: Wrongful Death
- 7           ☐     Count XVII: Survival
- 8           X     Punitive Damages
- 9           ☐     Other(s): \_\_\_\_\_ (please state the facts supporting
- 10                     this Count in the space immediately below)
- 11                     \_\_\_\_\_
- 12                     \_\_\_\_\_
- 13                     \_\_\_\_\_
- 14                     \_\_\_\_\_
- 15                     \_\_\_\_\_

16       13.     Jury Trial demanded for all issues so triable?

- 17           X     Yes
- 18           ☐     No

1 RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of October, 2017.

2 **BLANKENSHIP LAW FIRM**

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18 **CERTIFICATE OF SERVICE**

19 I hereby certify that on this 13<sup>th</sup> day of October, 2017, I electronically transmitted  
20 the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal.

21 William F. Blankenship III  
22 William F. Blankenship III